

### **REMARKS**

This is in response to the final Office Action mailed 10/29/2009. Applicants would like to thank the Examiner for granting the interview conducted on 12/08/2009. Reconsideration of this application is respectfully requested in view of this response.

### **STATUS OF CLAIMS**

Claims 1 and 16 are pending.

Claims 2-15 and 17-40 were previously cancelled.

Claim 1 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the article to Trompenaars et al. entitled, "Culture for Business Series: Business Across Cultures," published 2/02/2004, hereafter "**Trompenaars**" in view of the article to Woolliams entitled, "A New Framework for Managing Change Across Cultures," published 2003, hereafter "**Woolliams**".

Claim 16 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Trompenaars in view of Woolliams and further in view of Vilalti et al. (U.S. Patent 6,842,751), hereafter "**Vilalti**".

**REJECTIONS UNDER 35 U.S.C. § 103(a)**

Claim 1 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the article to Trompenaars et al. entitled, “Culture for Business Series: Business Across Cultures,” published 2/02/2004, hereafter “**Trompenaars**” in view of the article to Woolliams entitled, “A New Framework for Managing Change Across Cultures,” published 2003, hereafter “**Woolliams**”. Claim 16 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Trompenaars in view of Woolliams and further in view of Vilalti et al. (U.S. Patent 6,842,751), hereafter “**Vilalti**”.

To be properly rejected under 35 U.S.C. § 103(a), the cited references have to provide for each and every element of the rejected claims. Applicants respectfully submit that the combination of Trompenaars and Woolliams, and the combination of Trompenaars, Woolliams, and Vilalti fails to teach or suggest many of the features of the rejected claims.

Trompenaars discloses methods for marketing across cultures, understanding different markets and customer needs in a wide range of cultural contexts, and how to approach and resolve the challenges they present. Trompenaars also discloses a new conceptual framework for dealing with the business implications of culture by providing a practical toolkit for managers and leaders by helping them develop a new mindset for working with and across cultures.

In an attempt to move prosecution forward, Applicants have clarified that the pairs of alternatives statements reflect an *unevenly weighted right-versus-right spectrums* in which said pairs of alternatives statements are displayed as end points on said right-versus-right spectrum

consisting of at least five check boxes, the check boxes adjacent to the end point alternatives statements being labeled 100% and the middle check box being labeled 50/50, and with the remaining boxes corresponding to unevenly weighted answers between 100% and 50/50.

Also, Applicants have clarified that the right-versus-right spectrum defines conflicting and overlapping alternatives, and incorporates attributes and behaviors, principles and values, and business practice drivers comprising mindsets, expectations and work style.

As mentioned during the Examiner Interview of 12/08/2009, such features are neither taught nor suggested in the art of record (i.e., Trompemaars, Woolliams, and Vilati). Absent such a showing of the above-mentioned features, Applicants respectfully submit that the art of record fails to teach or suggest the features of Applicants' pending independent claim 1. Applicants, therefore, respectfully request the Examiner to withdraw the 35 U.S.C. 103(a) rejection with regard to Applicants' independent claim 1.

Further, the above-mentioned arguments with regard to Applicants' independent claim 1 substantially apply to Applicants' dependent claim 16 as it teaches all of the features of the claim from which it depends. Applicants, therefore, respectfully request the Examiner to withdraw the 35 U.S.C. 103(a) rejection with regard to Applicants' independent claim 16.

**SUMMARY**

As has been detailed above, none of the references, cited or applied, provide for the specific claimed details of Applicants' presently claimed invention, nor renders them obvious. It is believed that this case is in condition for allowance and reconsideration thereof and early issuance is respectfully requested.

As this response has been timely filed, no request for extension of time or associated fee is required. However, the Commissioner is hereby authorized to charge any deficiencies in the fees provided to Deposit Account No. 09-0441.

If it is felt that an interview would expedite prosecution of this application, please do not hesitate to contact Applicants' representative at the below number.

Respectfully submitted,

*/ramraj soundararajan/*

Ramraj Soundararajan  
Registration No. 53,832

IP Authority, LLC.  
4821A Eisenhower Ave  
Alexandria, VA 22304  
(703) 461-7060

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